



**COMBINED DECLARATION AND  
POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

my residence, post office address and citizenship is as stated below adjacent to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled, **Phenotype Modifying Genetic Sequences** the specification of which (check one):

☐ is attached hereto

☒ was filed as United States Patent Application Serial No. 09/701,926 on December 4, 2000

\_\_\_\_\_, and was amended on \_\_\_\_\_ (if applicable)

☐ was filed as PCT Patent Application Serial No. \_\_\_\_\_ on  
\_\_\_\_\_, and was amended under PCT Article 19 on  
\_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by an amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, CFR § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or § 365(b), of any foreign applications(s) for patent or inventor's certificate, or under § 365(a), of any PCT international applications(s) designating at least one country other than United States of America listed below and have also identified below any foreign applications(s) for patent or inventors' certificate or any PCT international application(s) designating at least one country other than the United States of America filed by us on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S)  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119 (a) - (d) or 365(b), or 365(a)**

Country (if PCT, indicate PCT)	Application Number	Filing Date (mm/dd/yy)	Priority Claimed Under 35 U.S.C. § 119 (yes/no)
Australia	PP 3901	June 4, 1998	Yes
Australia	PP 3903	June 4, 1998	Yes
Australia	PP 6169	September 25, 1998	Yes
Australia	PP 6174	September 25, 1998	Yes

I hereby claim benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed:

Application Number(s)	Filing Date (mm/dd/yy)	Priority Claimed Under 35 U.S.C. § 119

I hereby claim the benefit under Title 35, United States Code § 120 of any United States Application, or under § 365(c), any PCT International Application designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is, not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATION(S) OR PCT INTERNATIONAL APPLICATION(S) DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120 or § 365(c)**

Application Number(s)	Filing Date (mm/dd/yy)	Status: Patented, Pending, or Abandoned
PCT/AU99/00434	June 4, 1999	Pending

**Power of Attorney.** As a named inventor, I hereby appoint the following attorney(s) and/or agents associated with Hale and Dorr LLP, 300 Park Avenue, New York, NY 11221, Customer No. 28089, to prosecute the above-identified application and transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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